

REMARKS

Claims

Claims 28 and 29 remain pending in the application with claim 28 being independent. Claims 28 and 29 have not been amended. Claims 1-27 have previously been canceled. No claims have been added. Reconsideration is respectfully requested.

Claim Rejections Under 35 U.S.C. §103(a)

Claim 28 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Trott (U.S. Patent No. 5,729,904) in view of Lim (U.S. Patent No. 5,658,304). Applicant respectfully submits that the Examiner has misinterpreted the prior art and respectfully traverses the rejection to claim 28.

Independent claim 28 recites a surgical saw blade coupler 10 comprising a housing 14 having a body and a head that extends forward from the body. The head has a face and a through bore. A driver 22 includes a driven portion 46 disposed in the housing and configured to be attached to a drive unit. The driver 22 also includes a locking portion 48 disposed over the face of the head. The locking portion 48 has a through opening aligned with the through bore. The locking portion 48 also includes at least one engaging member 52A-52D. A pin 20 extends through the through bore and the through opening. The pin 20 has a head portion 26 disposed over the locking portion 48. The head portion 26 defines an opening 38A-38D therethrough that is aligned over and positioned to receive the at least one engaging member 52A-52D. The pin 20 is movably mounted to the housing 14 so as to be able to move longitudinally in the through bore and the through opening. A cap 18 is mounted to the pin 20 so as to be spaced above the head portion 26 of the pin 20 to define a slot 44 for receiving a surgical saw blade 12. Finally, a biasing member 96 acts between the head of the housing and the pin 20 for urging the head portion 26 of the pin 20 and the cap 18 towards the at least one engaging member 52A-52D. The intended purpose of the surgical saw blade coupler 10 is to secure the surgical saw blade 12.

Trott discloses a collet 10 comprising a housing 12 having a body and a head 28 that extends forward from the body. The head has a face and a through bore. A driver

includes a driven portion 29 disposed in the housing 12 and configured to be attached to a drive unit. The driver also includes a locking portion 20 disposed over the face of the head. The locking portion 20 has a through opening 42 aligned with the through bore. The locking portion 20 also includes a plurality of projecting pins 32. A push shaft 40 extends through the through bore and the through opening 42. The push shaft 40 has a clamping head 43 disposed over a clamping surface 30 of the locking portion 20. The clamping head 43 is positioned over the projecting pins 32. The push shaft 40 is movably mounted to the housing 12 so as to be able to move longitudinally in the through bore and the through opening. A biasing member 26 acts between the locking portion 20 and the push shaft 40 for urging the clamping head 43 of the push shaft 40 towards the projecting pins 32. The intended purpose of the collet 10 in Trott is to secure a surgical saw blade 14.

As noted by the Examiner, Trott does not disclose a pin having a head portion defining an opening therethrough that is aligned over and positioned to receive an engaging member, as required by independent claim 28. To account for this deficiency in Trott, the Examiner looks to Lim. Lim discloses a collet 10 attached to an oscillating handpiece 12. The collet 10 comprises an annular sleeve 18 and a clamping head 20. The clamping head 20 includes a plurality of pins 60 to engage a surgical saw blade hub 70. A spring (not shown) biases the clamping head 20 to either an open or closed position. The sleeve 18 has a distally facing surface 24 against which the clamping head 20 presses a portion of the blade hub 70. This configuration is nearly the same as Trott. See the side-by-side cross-sections below:

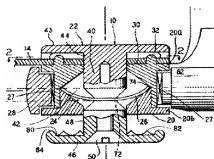


FIG. 1 of Trott

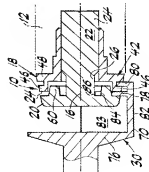


FIG. 1 of Lim

However, on page 3 of the Office Action, the Examiner states that Lim teaches “a saw blade coupler with a head portion 78 defining an opening 84 therethrough that is aligned over and positioned to receive said at least one engaging member 60 (Figures 1 and 5)”. The Examiner fails to recognize that the components referred to in this statement are not part of the *coupler* for holding a surgical saw blade, but are parts of the actual blade itself. Note FIG. 1 below and column 5, lines 1-3 of Lim: “Blade 30, as shown in FIGS. 5 through 8, has a proximal hub end 70, a distal end 72 with an angled cutting surface 73 and an elongated body 74 extending therebetween.” There is no reason why one skilled in the art would make the substitution suggested by the Examiner. One skilled in the art would not place a first blade into a collet for purposes of holding a second blade. Such a combination would not work and is not logical. With one blade 30 in the collet 10, another blade 30 would not fit. Applicant believes that the Examiner has misinterpreted Lim.

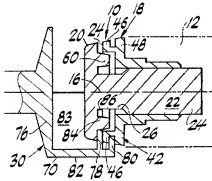


FIG. 1 of Lim

In summary, both Trott and Lim fail to disclose, teach, or suggest a *saw blade coupler* with a pin having a head portion defining an opening therethrough that is aligned over and positioned to receive an engaging member, as required by independent claim 28. Additionally, the Examiner has misinterpreted the prior art and improperly attempted to combine the components of a surgical saw blade in Lim with the collet in Trott. One skilled in the art would simply not make this combination and the Examiner

has failed to provide any guidance on how such a combination would work. For these reasons, Applicant respectfully submits that independent claim 28 is in condition for allowance. Applicant also submits that dependent claim 29 is in condition for allowance based on its own merits and its dependency on claim 28 and the failure of the references to suggest claim 28.

Claim Rejections Under 35 U.S.C. §103(a)

Claim 29 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Trott and Lim in view of Evans (U.S. Patent No. 5,263,972). For the reasons given above with respect to the patentability of claim 28 and the dependency of claim 29 on claim 28, this rejection is now moot.

Applicant believes the application is now in condition for allowance, which allowance is respectfully solicited. Applicant believes that no fees are required. However, the Commissioner is authorized to charge our Deposit Account No. 08-2789 in the name of Howard & Howard Attorneys, P.C. for any additional fees or credit the account for any overpayment.

Respectfully submitted,

HOWARD & HOWARD ATTORNEYS, P.C.

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Date

/TRENT K. ENGLISH/
Trent K. English, Registration No.: 56,951
The Pinehurst Office Center, Suite #101
39400 Woodward Avenue
Bloomfield Hills, MI 48304-5151
(248) 723-0462